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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/592,962	08/25/2008	David Sidransky	62933(71699)	4059
49383	7590	10/20/2011	EXAMINER	
EDWARDS WILDMAN PALMER LLP P.O. BOX 55874 BOSTON, MA 02205			GOLDBERG, JEANINE ANNE	
ART UNIT	PAPER NUMBER			
1634				
MAIL DATE		DELIVERY MODE		
10/20/2011		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10/592,962	25 August, 2008	SIDRANSKY, DAVID	62933(71699)
EDWARDS WILDMAN PALMER LLP P.O. BOX 55874 BOSTON, MA 02205			EXAMINER
			JEANINE A. GOLDBERG
ART UNIT	PAPER		
1634	20111018		

DATE MAILED:

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Commissioner for Patents

1. The amendment filed on September 14, 2011 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because the claims require a combination of four genes. The election of January 20, 2011, required a subcombination of GSTP1 and APC. The claims filed September 14, 2011 require a combination of four genes, namely GSTP1, APC, RASSF1A and CRBP1.
2. The examiner telephoned Melissa Hunter-Ensor on October 3, 2011. Ms. Hunter-Ensor left a message on October 12, 2011 that she was unable to locate the file for 10/592,962 in her system. The examiner tried to contact Ms. Hunter-Ensor but received an out of office message. Thus, this written correspondence was mailed.

Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Jeanine Goldberg whose telephone number is (571) 272-0743. The examiner can normally be reached Monday-Friday from 7:00 a.m. to 4:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nguyen, can be reached on (571)272-0731.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from

/JEANINE A GOLDBERG/
Primary Examiner, Art Unit 1634